



Wisconsin Ethics Commission

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DATE: November 30, 2016

TO: Local Campaign Finance Filing Officers

FROM: Brian M. Bell, MPA
Ethics Commissioner Administrator

SUBJECT: Requesting Exemption from Campaign Finance Reporting

On November 9, 2016, the Wisconsin Ethics Commission held a special teleconference meeting to address a request for advice to clarify several questions regarding the ability of committees to request exemption from campaign finance reporting under the new campaign finance laws (2015 Wisconsin Act 117) that went into effect on January 1, 2016. For additional information on that meeting please visit our website: <http://ethics.wi.gov/content/november-9-2016-special-meeting>.

The Commission has the discretion to issue a formal opinion, refer the matter to the Attorney General for an opinion, or refer the matter to the standing legislative oversight committees. The Ethics Commission decided not issue a formal opinion, but instead to exercise both of the other two options. The Attorney General's office is still working on a response to the Ethics Commission's request for an opinion. However, we have received the enclosed letter from the chairs of the Senate and Assembly oversight committees.

Based on the contents of that letter, the Ethics Commission staff would like to emphasize the following points for local filing officers:

- The Ethics Commission and local filing officers have an obligation to administer Wisconsin's campaign finance laws as enacted by the Legislature.
- Given the acknowledgement by the Ethics Commission and the chairs of the relevant legislative oversight committees of the complications and administrative challenges related to exemptions created by 2015 Wisconsin Act 117, as well as the indication from the legislative chairs that a statutory change is likely in the upcoming session, filing officers should exercise their discretion when possible in enforcing the new exemption requirements.
- Ethics Commission staff recommends that local filing officers inform candidates and committees who are interested in exemption about the current statutes and the potential changes to exemption rules.

Wisconsin Ethics Commissioners

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Administrator
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- If a candidate or committee that files with the Ethics Commission requested and was otherwise eligible for exemption, staff would likely recommend that the Commission not pursue any enforcement action for failure to submit campaign finance reports, but instead educate the committee about the changes to the exemption statutes and inform them of any potential legislative action on the matter. Staff would recommend that local filing officers adopt a similar enforcement strategy for the spring 2017 election cycle.

Ethics Commission staff will send out additional communications with any further updates, either related to legislative actions or an Attorney General Opinion. Please contact us if there is anything else we can do to assist you. You can reach the Ethics Commission staff by phone at (608) 266-8123, or by email at ethics@wi.gov.